

Application Serial No. 09/344,863

REMARKS

Review and reconsideration on the merits are requested.

Claims 4-15 and 24-27 have been rejected under the judicially created doctrine of obviousness-type double patenting over claims 1-20 of U.S. Patent 6,498,918 to Schlueter, Jr., et al. In response, Applicants traverse the rejection.

The Schlueter, Jr., et al. claims recite a xerographic component comprising a substrate and a coating comprising a polymer having a thiophene filler dispersed therein. On the other hand, the present claims recite a xerographic fuser component comprising a substrate comprising a polymer of current independent claims 24, 26 and 27, and comprising a coating consisting essentially of a thiophene-based material. The Schlueter, Jr., et al. claims do not recite the specifically recited substrate polymers of current independent claims 24, 26 and 27. In addition, the Schlueter, Jr. et al. claims recite that the outer coating comprises a thiophene filler dispersed in a polymer. The present claims recite that the outer coating consists essentially of a thiophene-based material, and does not recite a thiophene filler dispersed in a polymer, as recited in the Schlueter, Jr. et al. claims. Applicants submit that one of ordinary skill in the art would not have been motivated to alter the invention encompassed by the Schlueter, Jr. et al. claims by incorporating the claimed substrate materials, which are not recited by the claims, and to alter the outer coating from a polymer having a thiophene filler, into the thiophene-based material as claimed.

Applicants note that the Examiner had several telephonic interviews with the Examiner regarding this patent in March, 2003. During those interviews, the Examiner suggested that Applicants modify the claims by adding the recitation "consisting essentially of" in order to distinguish, *inter alia*, the reference at issue. Therefore, because the amendments were suggested by the Examiner, Applicants do not believe that the current office action should have been made final based on the argument by the Examiner that "Applicant's amendment necessitated the new ground(s) of rejection." Applicants respectfully request that the finality of the office action be withdrawn, as the amendments were suggested by the Examiner.

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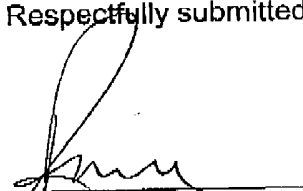
In view of the above arguments, Applicants submit that the claims are not rendered obvious in view of the cited reference, and respectfully request withdrawal of the rejection of claims 4-15 and 24-27 under the judicially created doctrine of obviousness-type double patenting over claims 1-20 of U.S. Patent 6,498,918 to Schlueter, Jr., et al.

In view of the above arguments, Applicants submit that all claims should now be in condition for allowance. Early indication of allowability is respectfully requested.

No additional fee is believed to be required for this amendment. However, the undersigned Xerox Corporation Attorney hereby authorizes the charging of any necessary fees, other than the issue fee, to Xerox Corporation Deposit Account No. 24-0025. This also constitutes a request for any needed extension of time and authorization to charge all fees therefor to Xerox Corporation Deposit Account No. 24-0025.

In the event the Examiner considers personal contact advantageous to the disposition of this case, s/he is hereby authorized to call Applicant's Attorney, Annette L. Bade, at telephone number (310) 333-3682, El Segundo, California.

Respectfully submitted,



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